

**TOWN OF MERRILLVILLE
TOWN COUNCIL MEETING 03-24-2009**

CALL TO ORDER 6:30 P.M.

INVOCATION:

Pastor Bruce R. Scott-Pentecostals of Southlake-Pastor Scott had 3 announcements to make:

- 1. Merrillville Clergy Assoc. Meeting on 3-31-09 @ 1st. Presbyterian Church, 78th Taft, 10a.m.**
- 2. National Day of Prayer @Town Hall parking lot, Thursday, May 7th at noon.**
- 3. Baccalaureate services for high school graduates at Living Hope Church, 78th Taft.**

PLEDGE OF ALLEGIANCE

ROLLCALL:

All 7 members present

PETITIONS, COMMUNICATIONS, REMONSTRATIONS:

Mr. Hardaway would like to add Resolution 09-03 (Supporting Rebuilding Together of South Lake County)

CONSENT AGENDA:

Accts. Payable Register Voucher Approval-March 24, 2009

Approval of March 10, 2009 Town Council Meeting Minutes.

Mr. Hardaway made the motion to approve both with Mr. Goralczyk second it. 7/0 voice vote to approve was made.

STANDING COMMITTEES:

BUDGET & FINANCE:

NO REPORT

PUBLIC WORKS:

Bike Trail-Sealed bids opened.

1st Bid- Walsh & Kelly: Base :\$725,021.84 Alt Bid 1-\$22,753.56 Alt Bid 2:\$17,800.00 Alt Bid 3:\$4,000

2nd Bid: Rieth Riley: Base:\$1,269,455.95 Alt Bid 1-\$5,700.00 Alt Bid 2-\$25,000 Alt Bid 3-\$2,400

3rd Bid: Gariup Const: Base:\$646,280 Alt Bid1-\$3,096 Alt Bid 2-\$18,850 Alt Bid 3-\$2,760

Mr. Huish made the motion to take these bids under advisement and Mr. Hardaway second it. 7/0 voice vote to approve was made.

COUNCIL AFFAIRS:

NO REPORT

PERSONNEL POLICY & EMPLOYEE BENEFITS:

NO REPORT

PUBLIC SAFETY:

Mr. Widing announced that the Merr. Police Dept. received \$68,533.00 in federal grant money to purchase equipment, advance technology, and personnel for the next 3 years.

PARKS & RECREATION:

Mr. Huish had nothing to report, but Mr. Goralczyk did. He has received calls about the parks in his ward. He did check these parks out and he said there were things that needs to be taken care of. He will give the list to Parks Director Terry Weems.

ENVIRONMENTAL AFFAIRS:

Mr. Goralczyk said that the packet information has drainage information and probably need to go under advisement to figure out what to do.

Mr. Hardaway said he has received phone calls regarding the Allied Waste garbage increase. He would like for the press to print that the rate increase was built into the contract and will be raised again next year. Mr. Hardaway asked Attorney Bower to write one more letter to Allied Waste regarding the verbage about the contract stating what constitutes the discontinuation of service.

ELECTIONS & PUBLIC RELATIONS:

Mr. Hardaway would like to have a committee meeting on April 2, Thursday at 10a.m. to discuss the Municipal Week and the 4th of July parade at Town Hall.

ECONOMIC DEVELOPMENT:

NO REPORT

UTILITY LIAISON:

Mr. Shudick talked about the development along Highway 30 and motivating the development. Mr. Mower said we had no legal position to get involved.

GENERAL ORDERS:

FIRST READING ORDINANCES:

ORDINANCE 09-07

An Ordinance of the Town of Merrillville, Lake County, Indiana transferring monies of the 2009 budget within various line items. Mr. Hardaway made the motion to approve and Mr. Widing second it. 7/0 rollcall vote to approve was made.

SECOND READING ORDINANCES:

ORDINANCE 09-03

An Ordinance of the Town of Merrillville, Indiana amending Ordinance 08-40 in its entirety and replacing it with this current Ordinance 09-03, An Ordinance of the Town of Merrillville establishing charges for false fire calls. Mr. Huish made the motion to approve and Mr. Widing second it. Mr. Fink stated that both of these Ordinances are public hearings. 7/0 roll call vote to approve was made.

ORDINANCE 09-06

An Ordinance of the Town Council of the Town of Merrillville, Indiana amending Ordinance 97-23 and all other Ordinances related to tax abatement procedures to establish new administrative rules on approvals for yearly compliance forms for tax abatements granted in the Town of Merrillville, Indiana. Mr. Huish made the motion to approve and Mr. Pettit second it. 7/0 roll call vote to approve was made.

RESOLUTIONS:

Resolution 09-03

A Resolution of the Town of Merrillville, Merrillville, Indiana supporting Rebuilding Together Of South Lake County.

SECTION ONE:

1. We declare September 12, 2009 “Christmas in September Community Rebuilding Day” in the Town of Merrillville, Indiana; and
 2. We declare Saturday, April 25, 2009 an Application Fair Day for residents to submit applications for this assistance at the Town Hall, 7820 Broadway, Merrillville, Indiana between 10:00 a.m. and 1:00 p.m. and
 3. We invite all citizens, corporations, and community organizations to join together with Rebuilding Together of South Lake County by participating in this Rebuilding Day through volunteer service, monetary support, and in-kind donations of materials and labor.
- Mr. Hardaway made the motion to approve and Mr. Widing second it. 7/0 roll call vote to approve was made.

BZA ACTIONS

Petitioner: Christian Rath

Owner: Living Hope Church/Allen Lehmann

Request: Variance of Use Approval

Purpose: Café with entertainment

Location: 9000 Taft Street

Case No: Z3uV2-0109 BZA-No Recommendation

Mr. Widing made the motion to approve with the condition to only advertise with the sign they have now(LED) and no additional signs. Mr. Huish second it. Mr. Shudick asked if Mr. Lehmann would like to approach for comments, which he did. Comments were recorded by Councilmen Pettit, Goralczyk, and Sylwestrowicz. Roll call vote:4 yes and 3 no. Motion carries.

BZA ACTIONS(CONT.)

Petitioner: R-Storage

Owner: R-Storage

Request: Special Exception Approval

Purpose: Truck Rental(U-Haul) Service

Location: 3950 W. 73rd. Avenue

Case No: Z6E4-0209

Conditions: For this petitioner only at this location only for this use only.

BZA: Approved 5/0 with 3 conditions.

Petitioner will be required to go through the special exception approval process if the commercial lot 1 is developed and the truck rental operation has to be relocated to the R-Storage PUD Lot 2.

Maximum of four(4) trucks permitted for rental purpose only on site.

Mr. Goralczyk made the motion to approve with Mr. Sylwestrowicz second it with conditions. Mr. Goralczyk wants the trucks parked behind the building, as this was told to Mr. Scott Reder, owner.

Dorinda Gregor also said vehicles must be parked on a paved area and not visible on 73rd Ave. Mr. Pettit made a motion to table with no second. Mr. Reder has until May 15th to pave lot for the trucks.

7/0 roll call vote to approve was made.

Petitioner: Anthony McBay

Owner: Alpha Development LLC

Request: Special Exception Approval

Purpose: For a child day care center

Location: 1050 & 1060 Merrillville Road

Case No. Z7E5-0209

Conditions: For this petitioner only at this location only for this use only

BZA: Approved 5-0

Mr. Sylwestrowicz made the motion to accept for discussion and Mr. Huish made the second. Mr. Huish said he thinks it is a bad location, 84th and Merrillville Road needs a traffic light. The traffic is heavy, & The parking lot is not designed for this. Mr. Huish made a motion to deny and Mr. Sylwestrowicz second the request. 7/0 roll call vote to deny was made.

OLD BUSINESS:

NO REPORT

NEW BUSINESS:

NO REPORT

PUBLIC COMMENT:

All public comment is recorded on cassette tape and kept on file in the Clerk-Treasurer's Office at Town Hall.

ANNOUNCEMENTS:

BZA Meeting, Wednesday, March 25, 2009 @6:30 p.m.

Plan Commission Workshop, Tuesday, April 7, 2009 @ 6:30 p.m.

Town Council Meeting, Tuesday, April 14, 2009 @ 6:30 p.m.

Parade Committee, Thursday, April 2, 2009 @ 8:00 p.m.

John D. Shudick, Town Council President

Eugene Guernsey, Clerk-Treasurer